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Art Unit: 2651

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Docket No.: UTEP0002USA

10 Title: SCRATCH-OFF MATERIAL LAYER APPLIED ON OPTICAL
RECORDING MEDIA

To: Commissioner for Patents
15 P.O. BOX 1450
Alexandria, VA 22313-1450

Subject: Information disclosure statement under 37C.F.R. §1.56.

20 Dear Sir:

This is an Information Disclosure Statement in accordance with the duty to
disclose information material to patentability under 37 C.F.R. §1.56. The applicant
wishes to make of record the document listed on the accompanying form
25 1449A/PTO. It is respectfully requested that the examiner initials the cited reference
on the form and that it be made of record in the application and that a copy of the
initialed form be sent to the applicant with the next communication from the examiner.

Since the IDS is filed before the mailing date of a first Office action on the merits,
30 a petition to request consideration of the information disclosure statement is hereby
requested according to 37 CFR §1.97(b). To comply with 37 C.F.R. §1.97(e), which
states that each item of information contained in the information disclosure statement

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was first cited in any communications from a foreign application not more than three months prior to the filing of the information disclosure statement, each item of information contained in the information disclosure statement was first cited in the communication from the State Intellectual Property Office of People's Republic of China on May 14, 2004 for a counterpart foreign application. The applicant sincerely hopes that the examiner can consider the items contained in this IDS.

According to the requirement set forth in 37 C.F.R. §1.98 and M.P.E.P. 609, the applicants are submitting a copy of the cited reference (China Patent 2462501Y and 2122053U) and a concise explanation of the relevance in this application hereinafter.

The objective of CN 2462501Y is to provide a type of compact disc. According to Fig. 1, the compact disc comprises a transparent substrate 10, a reflective layer 20 formed on the substrate 10, a protective layer 30 formed on the reflective layer 20, and a printing layer 40 formed on the protective layer 30. After applying a layer of printing ink on the printing layer 40, various patterns can be stamped onto the printing layer via a lithographic printing.

CN 2122053U on the other hand, provides a one-time-scratch-off lottery ticket design. According to CN 2122053U, the one-time-scratch-off lottery comprises a paper substrate, a lottery number or distinctive characters or patterns lifting from the surface of the lottery, and a one-time-scratch-off ink layer. By utilizing a silk screen printing method, the ink is ultimately applied onto the surface of the paper substrate. When the lottery number or hidden patterns are to be revealed, the ink can be easily scratched off to expose the lottery number.

The objective of the claimed invention is to provide an optical recording medium having a scratch-off material layer applied on the optical recording medium and to protect the recording medium from illegal copying. According to the preferred embodiment of the claimed invention, the optical recording medium comprises a transparent substrate, a reflect layer formed in the transparent substrate, a protective layer formed on the reflective layer, information formed on a surface of the protective

layer, and at least one opaque scratch-off material layer formed on the protective layer for masking the information.

According to the second embodiment of the claimed invention, the optical
5 recording media comprises a transparent substrate having a first recordable region for recording a first specific data and a second recordable region for recording a second specific data, a reflective layer formed on the transparent substrate, a protective layer formed on the reflective layer without covering the second recordable region, and at least on opaque scratch-off material layer formed on the protective layer for covering
10 the second recordable region. When the scratch-off material layer is not scratched, the first and second specific data are readable data and when the scratch-off material layer is scratched, the first specific data is a readable data and the second specific data becomes a non-readable data. By scratching the scratch-off material layer, the second specific data of the second recordable region under the scratch-off material
15 layer becomes unreadable. Hence, illegal copying of the optical recording medium is greatly prevented.

Essentially, the main difference between the claimed invention and CN
2462501Y is that the claimed invention includes an additional information formed on
20 top of the protective layer and an opaque scratch-off material formed on top of the information-protection layer for protective purposes. Nevertheless, this feature has already been relatively disclosed in CN 2122053U. As a result, it is suggested that the preliminary claims 1-11 to be canceled from the present invention in order to maintain the novelty of the present invention.

25 Preliminary claims 12 to 38 on the other hand, have been amended and retained to emphasize the protective characteristics of the optical recording medium, as stated in claim 12, "...The optical recording medium comprises at least one opaque scratch-off material layer formed on the protective layer and covering the second
30 recordable region...when the scratch-off material layer is not scratched, both the first and second specific data are readable data and when the scratch-off material layer is scratched, the first specific data is a readable data and the second specific data

becomes a non-readable data." By utilizing this design, illegal copying can be effectively prevented.

5 In contrast to the present invention, both prior art patents cited above fail to teach or suggest a protective mechanism or function in relation to the one stated above. It is therefore believed that the claimed invention of the present application is substantially different from the prior art patents CN 2462501Y and CN 2122053U.

10 For convenience, the amended claim 12 of the present application is listed below:

12. Optical recording media having a scratch-off material layer comprising:

- 15 a transparent substrate comprising a first recordable region for recording a first specific data and a second recordable region for recording a second specific data;
- a reflective layer formed on the transparent substrate;
- a protective layer formed on the reflective layer, and not covering the second recordable region; and
- 20 at least one opaque scratch-off material layer formed on the protective layer and covering the second recordable region;
- wherein when the scratch-off material layer is not scratched, the first and second specific data are readable data, and when the scratch-off material layer is scratched, the first specific data is a readable data and the second specific data becomes a non-readable data.

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Respectfully Submitted,

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